

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

IN RE:

**JOSHUA LEE SANDERFORD,
LINDSEY SHANNON SANDERFORD,**

**CASE NO. 21-01064-5-SWH
CHAPTER 13**

DEBTORS

DEBTORS' VERIFIED MOTION TO EXTEND AUTOMATIC STAY

Now come the Debtors, by and through counsel, and move this court to order, under 11 U.S.C. § 362(c)(3), that the full protections of the automatic stay be extended in this case until terminated under 11 U.S.C. § 362(c)(1) or (2), or until further order of the court. In support of this motion, the Debtors show the court as follows:

1. The Debtors filed the above-captioned case on May 6, 2021.

2. On September 4, 2019, the Debtors filed a prior chapter 13 case bearing the assigned Case No. 19-04068-5-SWH, in the Eastern District of North Carolina. The court dismissed that case on December 4, 2020. The dismissal of the prior case was because of the following (*mark all that apply*):

- Debtors' immediate family incurred significant medical expenses;
- Debtor or debtors lost job/ had hours reduced/had wages reduced: Mr. Sanderford's job at Autozone began to decrease in hours after the impact of Covid-19 shutdowns and lockdowns. In May 2020 he was laid-off from Autozone and was without pay. The plan payments fell behind and the debtors could never catch-up to keep the plan going in the prior case. Mrs. Sanderford was earning some income driving with Uber before the coronavirus pandemic. After the pandemic came she had to stop driving with Uber because there was no business and because she did not want to possibly be exposed to the virus.
- Debtors incurred a significant expense on primary residence;
- Debtors incurred a significant expense on primary vehicle;
- Debtors were owed money by a third party (such as child support, alimony, worker's compensation) and was not paid (*if so, list source of money **);
- Debtors incurred a significant expense related to a dependent (*if so, provide details*): *
- Other *

3. The Debtors' circumstances have substantially changed because (*mark all that apply*):

- Debtors now have new income in the form of additional work hours, an additional job, additional wages from previous job, and/or a new job. Provide details: Mr. Sanderford is receiving weekly unemployment compensation ("UC") of \$650.00, and he has had several interviews for full-time employment. The UC runs through August 2021 and is sufficient for them to make plan payments until Mr. Sanderford is hired for new employment. Mrs. Sanderford plans to return to driving with Uber when the pandemic subsides.
- Debtors now have new income in the form of monetary assistance from a third party individual (*provide details*): *
- Debtors now have new income in the form of monetary assistance from a third party organization (*provide details*): *
- Debtors now have more available income in the form of reduced expenses (*provide details*): *
- Other: There is a substantial amount of equity in their residence.

4. As required by E.D.N.C. LBR 4001-1 (d)(1), this motion (*mark appropriate box*)

- is filed within five (5) days of the petition date
- is NOT filed within five (5) days of the petition date.

5. The Debtors have demonstrated by clear and convincing evidence that the current case is filed in good faith. The Debtors' circumstances have substantially changed so that the reason for dismissal in the prior case is not likely to recur and this case can be completed.

Wherefore, the Debtors pray for the court to enter an order extending the automatic stay as to all creditors until it would terminate under 11 U.S.C. §§ 362(c)(1) or (2), or until further order of the court, and for such further relief as the court deems just and appropriate.

Dated: May 6, 2021.

/s/Travis Sasser
Travis Sasser
Attorney for Debtors
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DECLARATION

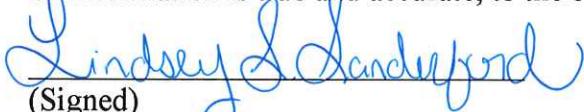
Under penalty of perjury, I, **Joshua Lee Sanderford**, hereby certify that I have personal knowledge of all the information contained in the pleading above and all information is true and accurate, to the best of my knowledge.



(Signed)

Joshua Lee Sanderford,

Under penalty of perjury, I, Under penalty of perjury, I, **Lindsey Shannon Sanderford**, hereby certify that I have personal knowledge of all the information contained in the pleading above and all information is true and accurate, to the best of my knowledge.



(Signed)

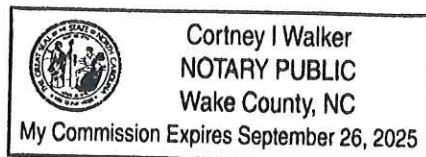
Lindsey Shannon Sanderford,

Sworn and subscribed to me this the 6th day of May, 2021.



Notary Public

Notary Seal



END OF DOCUMENT

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

**JOSHUA LEE SANDERFORD,
LINDSEY SHANNON SANDERFORD,**

**CASE NO. 21-01064-5-SWH
CHAPTER 13**

DEBTORS

NOTICE OF MOTION

NOTICE IS HEREBY GIVEN that a Motion to Continue Automatic Stay has been filed by the Debtors. A copy of the motion accompanies this notice.

TAKE NOTICE FURTHER that pursuant to the Local Rules of the United States Bankruptcy Court for the Eastern District of North Carolina, you have fourteen (14) days from the date of this Notice of Motion to file a responsive pleading to the attached Motion. If a response is filed, a hearing on this motion will be heard at the United States Bankruptcy Court, Eastern District of North Carolina, Raleigh Division located at the Century Station Federal Building, 300 Fayetteville Street, Raleigh, North Carolina 27601 in **the 2nd Floor Courtroom starting at 10:00 AM on May 26, 2021**. You must file your response with the Clerk, United States Bankruptcy Court, Post Office Box 791, Raleigh, NC 27602 with a copy to the undersigned. Any such responsive pleading must contain a request for a hearing if, indeed, you wish to be heard by the Court. Unless a hearing is specifically requested in a responsive pleading, the attached Motion may be determined and final Orders entered by the court without a hearing.

Dated: May 7, 2021.

/s/ Travis Sasser
Travis Sasser
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Fax: 919.657.7400
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CERTIFICATE OF SERVICE

The foregoing Debtors' Motion to be served on the following parties, by mailing a copy by depositing it in the United States Mail, by First Class Mail, in a properly addressed envelope with adequate postage thereon.

John F. Logan, Chapter 13 Trustee
Served Electronically

Joshua Lee Sanderford
Lindsey Shannon Sanderford
1245 New Bethel Road
Garner, NC 27529

ALL PARTIES ON THE ATTACHED MAILING MATRIX via U.S. Mail.

Dated: May 7, 2021.

/s/ Travis Sasser
Travis Sasser
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Amerifinancial Solutions
Attn: Managing Agent/Bankruptcy
Post Office Box 65018
Baltimore, MD 21264-5018

Capital One
Attn: Managing Agent/Bankruptcy
Post Office Box 30285
Salt Lake City, UT 84130-0285

Citi
Attn: Managing Agent/Bankruptcy
PO Box 6403
Sioux Falls, SD 57117-6403

Discover Bank Discover Products Inc
Attn: Managing Agent/Bankruptcy
Post Office Box 3025
New Albany, OH 43054-3025

Horizon Family Medicine
Attn: Managing Agent/Bankruptcy
PO Box 650249
Dallas, TX 75265-0249

Internal Revenue Service
Centralized Insolvency Operations
P. O. Box 7346
Philadelphia, PA 19101-7346

Johnston Memorial Hospital
Attn: Managing Agent/Bankruptcy
PO Box 1376
Smithfield, NC 27577-1376

Kohl's/Capital One
Attn: Managing Agent/Bankruptcy
PO Box 3043
Milwaukee, WI 53201-3043

NC Department of Revenue
Office Serv. Div., Bankruptcy Unit
Post Office Box 1168
Raleigh, NC 27602-1168

Nodell, Glass & Haskell
5540 Centerview Drive
Suite 416
Raleigh, NC 27606-3369

North American Credit Services
Attn: Managing Agent
2810 Walker Road, Suite 100
Chattanooga, TN 37421-1667

One Main Financial
Attn: Managing Agent/Bankruptcy
PO Box 6042
Sioux Falls, SD 57117-6042

Optimum Outcomes
Attn: Managing Agent/ Bankruptcy
PO BOX 58015
Raleigh, NC 27658-8015

SYNCB/PayPal Credit Services
Attn: Managing Agent/Bankruptcy
Post Office Box 960080
Orlando, FL 32896-0080

SYNCB/Walmart
Attn: Managing Agent/Bankruptcy
PO Box 965024
Orlando, FL 32896-5024

Solid Oak Funding
Attn: Managing Agent/Bankruptcy
Post Office Box 12101
Santa Rosa, CA 95406-2101

Spot Loans
Attn: Managing Agent/ Bankruptcy
Post Office Box 720
Belcourt, ND 58316-0720

(p)SPRINT
C O AMERICAN INFOSOURCE
4515 N SANTA FE AVE
OKLAHOMA CITY OK 73118-7901

State Employees' Credit Union
Attn: Managing Agent/Bankruptcy
PO Box 25279
Raleigh, NC 27611-5279

Time Financing
Attn: Managing agent
1822 South Glenburnie Road
New Bern, NC 28562-5261

Time Warner Cable
Division Collection Group
101 Innovation Drive, Ste 100
Morrisville, NC 27560-8586

UNC Health Care
Attn: Managing Agent
211 Friday Center Drive, Ste2015
Chapel Hill, NC 27517-9499

Wake Emergency Physicians
Attn: Managing Agent/Bankruptcy
PO Box 890053
Charlotte, NC 28289-0053

Wake Med
Attn: Managing Agent/Bankruptcy
3000 New Bern Avenue
Raleigh, NC 27610-1245

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